

HALL COUNTY BOARD OF SUPERVISORS MEETING NOVEMBER 2, 2004

The Hall County Board of Supervisors met November 2, 2004, by published call in the county board meeting room, 121 South Pine, Grand Island.

CALL TO ORDER - The meeting was called to order by Chairman Pamela Lancaster.

INVOCATION - Invocation was given by Pamela Lancaster.

PLEDGE OF ALLEGIANCE – The Pledge of Allegiance was given in unison.

ROLL CALL - Present on roll call were Scott Arnold, Jim Eriksen, Richard Hartman, Bob Humiston, Bud Jeffries, Pamela Lancaster and Robert Rye. Also present was Hall County Attorney Jerry Janulewicz and a representative from the *Grand Island Independent*.

CONSENT AGENDA – Eriksen made a motion and Jeffries seconded to approve the following by consent agenda:

1. Accept and place on file the minutes of the September 17th, meeting
2. Accept and place on file communications from the Regional Planning Commission
3. Accept and place on file the Hall County Treasurer's Miscellaneous Receipts
4. Accept and place on file communications as received

Arnold, Eriksen, Hartman Humiston, Jeffries, Lancaster and Rye all voted yes and none voted no. Motion carried.

COUNTY ATTORNEY – DISCUSS & APPROVE THE CHICKEN COOP AS A KENO STAELLITE LOCATION – County Attorney Jerry Janulewicz was present and stated that the Chicken Coop meets all of the requirements for a satellite operation and he is requesting the board approval. Hartman made a motion and Arnold seconded to approve Resolution #04 –0064 to approve the Chicken Coop as a Satellite operation.

Eriksen questioned how the policy is determined? Janulewicz stated that the request for the satellite operation comes through Fonner Park They enter into the agreement and request the board's approval of the agreement. These also have to be approved by the City Council if the operation is in the city limits. Mickey Finns has closed so they are short a location and now the chicken Coop has expressed an interest in a location.

Jeffries questioned how many locations they are going to have and how they can all be supported they are splitting down town.

The vote on the motion was taken. Arnold, Eriksen, Hartman, Humiston, Lancaster and Rye all voted yes and Jeffries abstained.

2b. ACTION REGARDING CLOSING OF A PORTION OF 80TH ROAD AT CAAP – county Attorney Jerry Janulewicz presented a memo to the board regarding the process to close a portion of 80th road. This needs to be referred to the public works department for a study on the road. Once this is done a public hearing needs to be held, published for three weeks and must be approved by two-thirds of the board. It must be offered to the township and they have four months to respond.

Eriksen questioned if it would be possible for the county board to authorize Heritage to place gates on the road?

Hartman questioned if the security building is going to be replaced? Mr. Vess stated that the building would be placed in the same location that it was before.

Mr. Vess was present and requested to respond to the board. He stated that the Department of Justice and Homeland Security require safety zones and there are government regulations that have to be followed.

Lancaster questioned Mr. Janulewicz if the safety zones could be implemented without giving up the right-of-way. Mr. Janulewicz responded that the road could be vacated without giving up the right-of-way. The gates would deny access but it would still be a road. The right-of-way for a road is 66 feet.

Arnold questioned if there would be a problem if the county retained the right-of-way. The security building is placed in the right-of-way but Mr. Vess stated that is necessary to follow the security issues that are in place. Mr. Vess stated that they are 14 days from the beginning of the operation and they have to address the security issues. Arnold stated that it would not be possible to complete this process in 14 days. Jeffries expressed concern on the south side of the property and if there are security issues there.

Eriksen made a motion and Arnold seconded to request the County Attorney to move forward with the process to vacate this road and also to address the request to gate to road for security.

Discussion was held on the security issue on the south side of the property and what type of measure would be used to enforce security.

Mr. Vess stated that the US Department of Fire Arms and Tobacco did a complete security audit of the facility and stipulated the guidelines that have to be followed. They are a federally licensed facility and are licensed with the Nebraska State Patrol. They use a safe process to dispose of the immunization and explosives.

Arnold stated that he support the project but is concerned to protect the right-of-way for the county.

The Chair called the board back to order and to address the issues at hand.

Eriksen called for the question. The vote on the motion was taken. Arnold, Eriksen, Hartman Humiston, Jeffries, Lancaster and Rye all voted yes and none voted no. Motion carried.

Arnold made a motion and Eriksen seconded to approve Resolution #04-0065 to begin the study to vacate a portion of 80th Road. Arnold, Eriksen, Hartman Humiston, Jeffries, Lancaster and Rye all voted yes and none voted no. Motion carried.

County Attorney Jerry Janulewicz submitted a letter of resignation as Hall County Attorney to the County Board members effective December 1st. He stated he has worked there 19 years but has accepted a position with a local law firm. He requested that the county board consider appointing Mark Young to fill the interim time period. This is position is a political appointment and the board can make the decision what process they want to follow/

Jeffries made a motion and Hartman seconded to accept his resignation with deep regret. Arnold, Eriksen, Hartman Humiston, Jeffries, Lancaster and Rye all voted yes and none voted no. Motion carried.

8 PARKS DEPARTMENT DISCUSS AND AUTHORIZE CHAIR TO SIGN GRANT FOR A COMMUNITY ENHANCEMENT PROGRAM TO PLANT TREES - Penny Evans and Chuck Kaufman with the parks department were present. Ms. Evans stated that they applied for a community enhancement grant to plant trees at the Hall County Park. They have lost trees from the diversion project and from the drought. They are requesting permission to plant trees on the county property. They have received letters of support from the City of Grand Island and from Ron Bishop with the NRD and the Chamber of Commerce.

Arnold made a motion and Jeffries seconded to authorize the chair to sign the grant agreement.

Eriksen stated that the parks committee is recommending approving this request. It will be an 80/20 match and they are using the dollars from the NRD payment for the match.

Arnold stated that the park lost trees to the Wood River Project and some of the interior trees have been damaged from natural causes and they have lost a lot of trees this year.

The vote on the motion was taken Arnold, Eriksen, Hartman Humiston, Jeffries, Lancaster and Rye all voted yes and none voted no. Motion carried.

The Chair called for a 5-minute break.

PUBLIC PARTICIPATION – The Chair called for public participation and no one responded.

5a AUTHORIZE CHAIR TO SIGN BOUDRY MAPS – Jeffries made a motion and Arnold seconded to authorize the chair to sign the boundary maps. This is a duplicate set of the maps because the state did not receive the original set. Arnold, Eriksen, Hartman Humiston, Jeffries, Lancaster and Rye all voted yes and none voted no. Motion carried.

4 10:00 A.M. PRESENTATION FROM HERITAGE DIPOSAL – Mark Vess with Heritage Disposal was present to address the question that was raised two weeks ago concerning the amount of water that his business will be using. He stated that they would use 300,000 to 400,000 gallons of water a year. This is a controlled process and there is no wastewater, the water will be used in the by-products and the by-products will be sold.

Hartman asked if this would be the liquid fertilizer and Mr. Vess replied that was correct. Any of the lead is released back to the crap industry.

7 GIS COMMITTEE RECOMMENDATION – PURCHASE OF GIS EQUIPMENT –

Arnold stated that during the budget process the GIS committee requested to purchase a piece of equipment that would allow Jake Rip to do this job more efficiently and the board came to the agreement to budget this in the inheritance fund. The committee is recommending purchasing this equipment for \$43,000.00. Mr. Ripp presented the board members with information regarding how the equipment will be used and how it will be much more accurate. Rich now he is spending time trying to fix the error that the old system causes. He explained how the base maps have errors and how long it takes correct the errors. County Assessor Jan Pelland also stressed how important it is to correct the errors on the maps. Mr. Ripp stated that he has contacted the Community College for students that could assist with project and it would give them some experience with this type of technology.

Arnold made a motion and Humiston seconded to authorize the purchase of the equipment for \$45,217.90 on a state contract that has GSA pricing. Some of the money will come from the GIS budget and the rest will come from the inheritance fund.

Jeffries expressed concern that when equipment purchases were cut in other departments by we had to purchase this equipment. He suggested using the city equipment. Mr. Ripp stated that they use a different process because they have permanent base station and that would not work in the rural areas. Arnold stressed the importance of the accuracy of the information and the public uses this information. The current equipment prevents getting the job done correctly and efficiently.

County Surveyor Dan Hostler stated that when the county hired Aero Metrics to do the Arial photos and when the maps were scanned there were errors that were not corrected and there was a lot of distortion.

The vote on the motion was taken. Arnold, Eriksen, Hartman Humiston, Jeffries, Lancaster and Rye all voted yes and none voted no. Motion carried.

16 a. COMMENCE AUDIT OF BI WEEKLY PAY CLAIMS AND ACTION ON CLAIM AUDIT- The payroll claims were reviewed.

b. COMPUTER DEPARTMENT APPROVE EARLY CLAIM FOR ABACUS – IT Director Doug Drudik was present and stated that this claim was for a week of support from ABACUS for the last of July and that it should have been included in the August claim

c. APPROVE CLAIM FOR CLEAM COMMUNITY SYSTEM FOR \$3,000.00. This is a keno agreement that need to be approved. Rye made a motion and Arnold seconded to approve the claims as audited. Arnold, Eriksen, Hartman Humiston, Jeffries, Lancaster and Rye all voted yes and none voted no. Motion carried.

BOARD MEMBER'S REPORTS – Hartman – no report

Humiston – no report

Eriksen – He stated that he attended the law enforcement center committee meeting and reviewed the request for proposals. He also reported that the reuse committee will meet

Wednesday morning at 9:00 a.m. and everyone is welcome. They will be looking at the environmental impact study.

Arnold – He attended the GIS committee meeting that was reported on.

Lancaster – nothing to report.

NEW OR UNFINISHED BUSINESS – Chairman Lancaster called for new or unfinished business and no one responded.

EXECUTIVE SESSION PERSONAL EVALUATION – Eriksen made a motion and Jeffries seconded to go into executive session. Arnold, Eriksen, Hartman Humiston, Jeffries, Lancaster and Rye all voted yes and none voted no. Motion carried.

11:30 a.m. executive session

11:35 a.m. Jeffries made a motion and Hartman seconded to go out of executive session.

Arnold, Eriksen, Hartman Humiston, Jeffries, Lancaster and Rye all voted yes and none voted no. Motion carried.

Jeffries made a motion and Rye seconded to refer the personnel evaluation to the personnel committee to present it to the employee. Arnold, Eriksen, Hartman Humiston, Jeffries, Lancaster and Rye all voted yes and none voted no. Motion carried.

Meeting recessed for the jail tour. Arnold, Eriksen, Humiston, Jeffries, Lancaster and Rye attended the tour. Meeting adjourned.

Marla J. Conley Hall County Clerk